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shall be thoroughly cleaned with hot water and soda and sterilized with boiling water or steam before same are used or refilled.

SEC. 17. No person shall sell or offer for sale in the city of Ishpeming milk containing less than  $3\frac{1}{4}$  per cent butter fat and having a specific gravity of less than 1029: *Provided, however*, That the  $3\frac{1}{4}$  per cent butter fat and the specific gravity of 1029 shall not apply to milk sold and labeled as skim milk and buttermilk. That no person shall sell or offer for sale as hereinbefore mentioned any milk containing any dirt, foreign matter, or sediment, or drawn from any cow having a communicable disease or showing symptoms of tuberculosis, or from a herd containing any diseased cattle, or are [sic] afflicted with or have been exposed to any communicable disease, or drawn from any cow within 15 days before and before eighth milking after parturition, or drawn from any cow with inflamed or sore nipples, or having a temperature or which has been kept at a temperature higher than  $55^{\circ}$  F.

SEC. 18. That all surroundings of stables or premises where cows are kept shall be kept in a sanitary condition, that cows shall not be allowed to stand in manure or filth, and that all stables where cows are kept shall be painted or whitewashed at least once each year, and shall be kept free from cobwebs, dust, and odor; that manure and urine shall be removed from the stable at least once daily, and if not taken away daily, shall be removed and kept removed at least 30 feet from the stable or place where cows are kept, and that said cows shall not be allowed to get to said manure heaps; that all floors where cows are kept shall not be laid less than 1 foot higher than the inside surface level and to be tight, and shall be so constructed as to afford good drainage; that all floors where cows are kept shall be maintained in good repair and constructed with a drain not less than 12 inches wide; that all ceilings shall be tight and kept free from cobwebs; that window area shall be at least 3 square feet per 500 cubic feet of air space, and shall be so uniformly distributed as to afford a reasonably well lighted stable or barn; that all stables or barns shall be well ventilated.

SEC. 19. It shall be unlawful for any person or persons to keep any other livestock in the same stable with cows.

SEC. 20. Any person or persons attempting to carry on the milk or dairy business in the city of Ishpeming without first having obtained a permit from the inspector shall be fined not less than \$25 nor more than \$100, or by imprisonment in the county jail not to exceed 60 days, or by both such fine and imprisonment, in the discretion of the court.

### LAPORTE, IND.

#### Milk and Milk Products—Production, Care, and Sale. (Ord. 177, June 1, 1914, as Amended Sept. 3, 1914.)

SECTION 1. It shall be, and it is hereby made, unlawful for any person, persons, firm, or corporation to bring into, or to sell, barter, or exchange, or offer for sale, barter, or exchange within the corporate limits of the city of Laporte, or to have in his, their, or its possession, with intent to sell, barter, or exchange any milk, cream, or skim milk, intended for human food, without first having obtained a license therefor as hereinafter provided, from the city of Laporte. All milk sold, bartered, or exchanged, or offered for sale, barter, or exchange, or to be given away within the corporate limits of the city of Laporte shall be what is known as "inspected milk" or shall be "pasteurized milk" and must test as hereinafter provided. Any person, persons, firm, or corporation

desiring to bring milk into the city of Laporte, or to barter, sell, or exchange within the corporate limits of the city of Laporte shall first make application to the secretary of the board of health of the city of Laporte, upon the blanks to be provided for that purpose; which application shall be signed and verified by the person, or by a member of the firm or by an officer of the corporation making the application; and shall submit the cattle producing the milk and the premises upon which it is produced and handled to an examination by the secretary of the board of health. If it shall be found that the applicant has complied with the requirements of the laws of the State of Indiana and of this ordinance for the protection of the public health, a certificate of that fact shall be issued to the applicant, which certificate together with a fee hereinafter prescribed shall be delivered to the clerk of the city of Laporte, Ind., and a license shall thereupon be issued to such applicant, permitting such applicant to sell and dispense milk within the corporate limits of the city of Laporte.

Such application for a license shall set forth the full name and address of the applicant, the number of cows owned by such applicant, if any, and the description and location of the place where such cows are kept, and a description and location of the premises upon which the milk is handled. If such applicant shall obtain milk from some other person, firm, or corporation, or proposes to obtain milk from some other person, firm, or corporation, he shall also give the name of such person, firm, or corporation and the location of the place where the cows are harbored which furnish such milk and the place where such milk is handled.

Such application shall further show whether or not the cattle owned by him and used in the production of milk sold in the city of Laporte have been subjected to a tuberculin test, and whether or not such test showed such cattle free from tuberculosis.

Upon the filing of such application with the secretary of the board of health he shall cause an inspection to be made of the premises, cows, and milk owned by such applicant and the person, firm, or corporation from whom such applicant is buying or proposes to buy milk, cream, or skim milk, and the place of handling the same, and shall certify such fact to the city clerk who shall issue the permit as hereinbefore provided.

Upon such examination having been made by the city health officer, if he shall report favorably, such applicant shall immediately pay the fee prescribed to the city clerk and procure the license herein provided for, but such applicant shall not bring any milk into the city of Laporte nor dispose of any milk in the city of Laporte before obtaining such permit or license. If any person, firm, or corporation who has obtained a license to sell or dispose of milk, cream, or skim milk within the city of Laporte shall desire to purchase any milk, cream, or skim milk from any person, firm, or corporation not named in his original application, to whom a permit or license shall not have been previously granted, as provided for in this ordinance, then such applicant shall notify the secretary of the board of health of such intention at least five days before he shall sell or offer for sale or distribution or delivery any such milk, and the secretary of the board of health shall thereupon make an examination of the cows and premises upon which such milk is produced and handled, and if such cows and the place of handling said milk and the premises shall comply with the provisions of this ordinance and the laws of the State of Indiana, an additional permit shall be issued to such applicant, permitting him to sell such milk, but such permit shall not authorize the person, firm, or corporation producing the milk to sell or deliver milk to any other person, firm, or corporation in the city of Laporte, unless a license has been issued to such other person,

firm, or corporation, as herein provided for. No license fee shall be required to be paid by any person, firm, or corporation producing milk, for milk sold to any other person, firm, or corporation, provided such other person, firm, or corporation shall have procured a license and paid the fees provided for, but such producer shall obtain a permit and comply with all of the provisions of this ordinance, except the payment of such fee, before they shall be permitted to sell or deliver milk, cream, or any other dairy products in the city of Laporte.

SEC. 2. After the 1st day of June, 1915, no milk, cream, or skim milk shall be delivered or distributed or offered for sale, barter, exchange, or delivery in the city of Laporte unless the cows which produced such milk shall have been tested for tuberculosis by a veterinary approved by the State veterinary of the State of Indiana and a certificate of such fact delivered to the owner of such cows showing that such cow or cows are free from tuberculosis. Upon making such inspection such veterinary shall attach to the left ear of such cow a small metal tag which shall be furnished by the city of Laporte at cost; and which tag shall show the date of such inspection and the number of the cow inspected; but no such tag shall be attached to any cow which shall not have been first inspected and found to be free from tuberculosis.

All cows producing milk, which milk shall be brought into the city of Laporte or sold or delivered in the city of Laporte, shall be inspected at least once each year thereafter, and the cost of all inspections shall be borne by the owner of such cow or cows.

No milk-producing cow or cows which shall not have been inspected and declared free from tuberculosis shall be permitted to be with cows which have been inspected and certified under this provision, nor shall the milk of any cows which have not been reported certified as free from tuberculosis be mingled with the milk of cows certified as free from tuberculosis, as herein provided for, nor shall the milk of any cow or cows not found to be free from tuberculosis be sold or delivered or offered for sale or delivery in the city of Laporte.

SEC. 3. All milk brought into the city of Laporte for sale, barter, or exchange or to be delivered in said city shall be divided into two classes, which classes shall be known as:

First. Inspected milk.

Second. Pasteurized milk.

SEC. 4. All inspected milk must be produced from dairies and cows kept as hereinafter provided and handled in the manner following: Cows must be kept clean at all times and must be thoroughly cleansed each time before milking.

SEC. 5. The practice known as wet milking shall not be permitted.

SEC. 6. Cows shall not be fed on slops, refuse of any distillery or brewery, glucose, or any malt in a form of fermentation, putrefaction, or decomposition, or any other putrified or unwholesome substance. The milking must be done by persons who are clean as to both clothing and person, or by clean mechanical milkers operated by persons as above specified. Milk produced from cows within five days after calving shall not be mixed with inspected or pasteurized milk.

SEC. 7. No milk shall be brought into the city of Laporte or sold or distributed from any premises either inside or outside of the city of Laporte, if any person living or employed on said premises shall have any contagious or infectious disease or shall be exposed to any such disease, or if any person residing or employed upon such premises is suspected of being a carrier of typhoid or diphtheria germs.

If any such person is found or suspected to have any infectious or contagious disease the secretary of the board of health shall immediately be notified, and no milk, skim milk, or buttermilk shall be removed from said premises until

such secretary shall have made an inspection and shall authorize the person in charge of such premises, in writing, to remove such milk, cream, skim milk, or buttermilk for use in the city of Laporte.

SEC. 8. All utensils or other devices used in the producing or handling of inspected milk must be thoroughly sterilized each time before used and must be so constructed that no milk can accumulate or soak in so that it could not be easily removed by simple washing. All such utensils or devices must be free from rust.

All inspected milk must be removed from the stable immediately after it is obtained and shall be strained and cooled at once to 60° F. or below and shall be kept at such temperature or below until delivered to the consumer. All milk, cream, skim milk, or buttermilk exposed for sale, offered for sale or sold to the consumer shall be contained in tightly inclosed capped bottles or receptacles of a similar character, and the caps of such bottles shall be marked "Inspected" "Milk," "Cream," or "Skim milk," as the case may be, on the tag or cap attached to such bottle, in letters not less than three-sixteenths of an inch high; such cap or tag shall be marked with the series number corresponding with the numbers of the license issued to the distributor and the permit issued to the producer, and shall also be plainly marked with the day of the week upon which said milk, cream, or skim milk was first drawn from cow or cows: *Provided*, It shall be unlawful for any person, firm, or corporation to permit to be marked on any bottle or container, the name of any day other than that upon which the contents were drawn from the cow.

SEC. 9. Inspected milk and inspected skim milk at the time of delivery to the consumer shall not contain more than 100,000 bacteria per cubic centimeter between October 1 and May 1, inclusive, and not more than 150,000 bacteria per cubic centimeter from May 2 to September 30, inclusive.

Inspected cream at the time of delivery to the consumer shall not contain more than 150,000 bacteria per cubic centimeter from October 1 to May 1, inclusive, and not more than 300,000 bacteria per cubic centimeter from May 2 to September 30, inclusive, as may be determined by tests made by the secretary of the board of health.

SEC. 10. Pasteurized milk, pasteurized cream, pasteurized skim milk must be pasteurized and handled under the conditions hereinbefore required for the production and handling of inspected milk, except the word "pasteurized" should be substituted and used where the word "inspected" appears hereinbefore. All milk, cream, or skim milk shall be pasteurized unless it shall be inspected and handled on the plans and in the manner hereinbefore set forth, and unless said premises and cattle and the manner of handling the same shall have been inspected and approved by the secretary of the board of health within one year of the date of the delivery of such milk.

All milk sold, bartered, exchanged, or delivered, or kept for sale, barter, exchange, or delivery in the city of La Porte which shall not have been produced and handled in compliance with the provisions relative to inspected milk must be pasteurized.

Every person, firm, or corporation installing or operating a pasteurizer for the purpose of pasteurizing or treating milk, cream, or skim milk to be sold, offered for sale, or kept with the intention of selling, or for the pasteurization or treatment of milk, cream, or skim milk to be shipped or brought into the city of La Porte shall notify the board of health in writing, stating the time when and the place where such pasteurizer is to be installed, together with the name of the person or persons who will operate said pasteurizer, and shall file with said board of health the name of the owners and the location of all farms from which the milk that is to be pasteurized at said plant is to be obtained.

The secretary of the board of health shall thereupon make or cause to be made an inspection of such pasteurizer and the premises or plant wherein the same is operated. He shall also inspect or cause to be inspected all farms the milk supply of which after pasteurization at said plant is sold or to be sold or intended for sale or brought into the city of La Porte; and no such farms shall be allowed to bring or furnish milk or cream to such pasteurizing plants without first being inspected and found to comply with the requirements of this ordinance.

If the pasteurizer and pasteurizing equipment is such that 99 per cent of all bacteria and all pathogenic bacteria are killed in pasteurization, a permit shall be issued allowing the milk, cream, or skim milk pasteurized in such pasteurizer on such premises to be brought into or sold in the city of La Porte.

The pasteurized products shall be cooled at once to a temperature of 45° F. or below. The cooling shall be so conducted that the pasteurized product is not exposed to possible sources of contamination. The cooling apparatus shall be so constructed that it can be readily cleaned and sterilized.

Milk, cream, or skim milk shall be inclosed in tightly capped bottles or packages of similar character or in sealed cans immediately after pasteurization.

Pasteurized milk, cream, or skim milk shall be kept at a temperature of 50° F. or below while the same is stored or kept at pasteurizing plant, bottling establishment, or milk depot, and delivered to consumer at 60° F. or below.

Pasteurized milk and skim milk shall not contain more than 50,000 bacteria per cubic centimeter from October 1 to May 1, inclusive, and not more than 100,000 bacteria per cubic centimeter from May 2 to September 30, inclusive. Pasteurized cream shall not contain more than 150,000 bacteria per cubic centimeter from October 1 to May 1, inclusive, and not more than 300,000 bacteria per cubic centimeter from May 2 to September 30, inclusive, and shall not contain colon bacilli in 1 cubic centimeter as determined by culture method.

Sec. 11. Milk, cream, or skim milk which has been pasteurized and held for a period of 12 hours after such pasteurization shall not be repasteurized or reheated for the purpose of enhancing the keeping qualities of such milk, cream, or skim milk.

Sec. 12. No water-closet, privy, cesspool, urinal, inhabited room, or workshop shall be located within any building or room for stabling cows, or for the storage or handling of milk or milk products; nor shall any fowl, hog, horse, sheep, goat, or other animal be kept in any room used for milking or for storing milk or milk products.

Sec. 13. All rooms and stables in which cows are milked shall be thoroughly clean and in good repair and shall be painted or whitewashed once each year.

Sec. 14. All persons using any premises for keeping cows shall cause the yard or pasture in connection therewith to be provided with a proper receptacle for drinking, for such cows, and none but fresh, clean, pure water shall be stored in such receptacle.

Sec. 15. Any inclosure in which cows are kept shall be graded and drained so as to keep the surface reasonably dry and to prevent the accumulation therein, and no garbage, urine, fecal matter or similar substances shall be placed or allowed to remain in such inclosure, and no open drain shall be allowed to run through it.

Sec. 16. All milk or cream cans delivered to creameries or dealers in cities shall be covered with tight-fitting lids, and when conveyed in open wagons shall be covered with clean canvas while so conveyed.

Sec. 17. No person or persons, firm, association, or corporation buying, storing, or receiving milk for the purpose of selling the same for consumption as

such, or for manufacturing it into butter, cheese, ice cream, condensed milk, or other human food, shall keep the same in utensils, cans, vessels, or rooms that are unclean or have unsanitary surroundings or drainage, or under conditions favorable to unhealthfulness or disease, and milk to be sold for consumption as such shall be cooled to a temperature not higher than 60° F. within one hour after receipt, and shall be kept at such temperature until delivered.

SEC. 18. When the secretary of the city board of health, the city inspector, or other person authorized to collect samples of milk or cream for analysis shall, in the discharge of his duties, take samples of such milk or cream for analysis, he shall before taking samples from a bulk container cause the milk or cream to be thoroughly mixed by stirring or pouring of said milk or cream.

SEC. 19. Inspected milk and inspected cream under the terms of this ordinance shall be held to be unclean, impure, unhealthy, unwholesome, or adulterated, when said milk or cream shall contain more than 150,000 bacteria per cubic centimeter of milk and 300,000 bacteria per cubic centimeter of cream, on two successive counts from samples collected by some member of the board of health or a duly authorized representative thereof.

SEC. 20. No person, either by himself, his servant or agent, or as the servant or agent of another person, shall sell, exchange, or deliver, or have in his custody or possession with intent to sell, exchange, or deliver, expose or offer for sale or exchange, adulterated milk or milk to which water or any foreign substance has been added, or milk produced by sick and diseased cows, or milk from which the cream or a part thereof has been removed, or milk which is not of standard quality, or milk collected and kept or handled under conditions which are not cleanly or sanitary, or milk which contains visible dirt, or milk which contains less than  $8\frac{1}{2}$  per cent of milk solids exclusive of fat, or milk which contains any added color or preservative, or as pasteurized milk, milk which has not been subjected to a temperature of at least 145° F. for 20 minutes, or 165° for 60 seconds.

No milk, cream, or skim milk shall be brought into the city of La Porte for sale or delivery, or offered for sale or delivery in said city of La Porte more than 36 hours after it has been drawn.

SEC. 21. All milk, cream, skim milk, or buttermilk brought into the city of La Porte, or sold, offered for sale, or kept for the intention of selling, or of using in the manufacture of ice cream, which does not comply with the provisions of this ordinance, shall be condemned by the secretary of the board of health and rendered unfit for human food by coloring or otherwise treating, or shall be seized and destroyed: *Provided*, That if in the opinion of the board of health it is proper to do so, the said milk, cream, skim milk, or buttermilk may be tagged as follows: "Condemned, board of health, La Porte," and returned to the shipper or producer.

SEC. 22. It shall be the duty of every person, firm, or corporation owning, conducting, carrying on, or operating any dairy or milk house, or any place where milk is stored or is kept for sale, to post and keep posted thereon at all times a copy of this ordinance.

SEC. 23. There shall be five classes of licenses issued under this ordinance, which shall be as follows:

1. A license to sell inspected milk from less than five cows, for which a fee of \$1 for each cow per year shall be paid by the applicant upon filing his application.

2. A license to sell inspected milk from five or more cows, for which a fee of \$5 shall be paid by the applicant upon filing his application.

3. A license to operate a pasteurizer for the pasteurization of milk not marked as inspected, and to sell and deliver such milk, for which a fee of \$10 shall be paid upon the filing of the application as hereinbefore provided.

4. A license to sell pasteurized milk where same has been pasteurized by some person, firm, or corporation other than the person selling, offering for sale, or delivering same, for which license a fee of \$3 shall be paid where the average daily sales amount to less than 7 gallons, and a fee of \$5 where the average daily sales amount to more than 7 gallons.

In all cases where a person owning cows shall deliver for pasteurization to any person, firm, or corporation operating a pasteurizer, and shall receive back pasteurized milk from such person, firm, or corporation, he shall pay the license fee provided for under subdivision 4 of this section.

5. A license to sell inspected milk where the average daily sales amount to less than 2 gallons, for which a license fee of \$2 per year shall be paid.

All licenses for the sale of milk or other products issued in pursuance to the provisions of this ordinance shall expire on the 30th day of June following the date of their issue.

SEC. 24. The funds derived from the sale of licenses shall be known as "The milk laboratory fund," and the proceeds of the sale of all licenses issued under this ordinance shall be paid into such fund and used for the payment of the expenses incident to the examination and testing of milk and other dairy products sold or offered for sale in the city of La Porte.

SEC. 25. *Penalties and seizure.*—Every person, firm, or corporation violating any of the provisions of the foregoing sections shall be fined not less than \$5 nor more than \$200 for each offense.

SEC. 26. The secretary of the city board of health is hereby empowered to revoke the license of any dealer in milk, cream, skim milk, or buttermilk who has failed or refused to comply with the provisions of this ordinance; and he is hereby directed to revoke the license of any dealer who has been convicted of a violation of this ordinance or of the pure-food laws of the State of Indiana.

## LEXINGTON, KY.

### Buildings and Premises—Insanitary—Abatement of Nuisances—Vacation of. (Ord. 450, Aug. 17, 1914.)

SECTION 1. It shall be unlawful for any person, firm, or corporation, after notice as hereinafter set out, to maintain, lease, let, occupy, or permit the occupancy of any building, structure, or portion thereof, or premises adjacent thereto, designed or intended for dwelling purposes or used for human habitation, which is or may become so unclean, insanitary, unhealthful, or out of repair as to render it unfit for human habitation or dangerous, injurious, or detrimental to the lives, health, or morals of its occupants or the community.

SEC. 2. Any structure, building, or portion thereof, or premises adjacent thereto, intended or designed for dwelling purposes or used for human habitation which is or may hereafter become so unclean, insanitary, unhealthful, or out of repair as to render it unfit or unsafe for human habitation or dangerous, injurious, or detrimental to the lives, health, or morals of its occupants or the community, or which may be infected with a communicable disease, or which is not provided with toilet facilities and water supply as required by law and ordinance, is hereby declared to constitute a nuisance.

SEC. 3. Whenever any building, structure, or portion thereof or premises adjacent thereto, intended or used for human habitation, shall be unfit or unsafe